

THE HISTORY OF THE BAIL BOND RECOVERY AGENT IN WASHINGTON STATE

What is a bail bond recovery agent?

- **DEFINITION** – Also known as a bounty hunter, bail enforcement agent, or fugitive recovery agent, a bail bond recovery agent, is defined by Washington law as, “a person who is under contract with a bail bond agent to receive compensation, reward, or any other form of lawful consideration for locating, apprehending, and surrendering a fugitive criminal defendant for whom a bail bond has been posted.”
- **HISTORY** – In United States, the bail bond recovery agent is a profession that has dates back to the 1700's. The most common law the bail bond recovery agent works under is a ruling made in 1872 Taylor v. Taintor. Unlike law enforcement, the bail bond recovery agent has the right to re-arrest and enter private property without a warrant to capture a fugitive and is not required to administer Miranda Rights. Bail bond recovery is legal in most states, with the exception of Kentucky, Illinois, and Oregon. Some states require licensing, some require registration, and some have no requirements. Until recently, Washington was one of the states with no licensing requirements.
- **2004 LEGISLATION** – In 2004, the Washington State Legislature passed an amendment to the law relating to bail bond agents, Chapter 18.185 RCW, that directs the Department of Licensing to begin to license bail bond recovery agents beginning January 1, 2006.

As a result of the new legislation, House Bill 2313, a committee was formed which included representatives of the bail bond industry, law enforcement agencies and associations, and prosecutors' associations to develop rules to establish specific training, testing, and licensing requirements for the bail bond recovery agent.

Throughout 2004 and 2005, the committee worked together to meet established goals and objectives regarding the required training, testing, and licensing requirements. The results of the committee meetings have been finalized into the rules now adopted in the Washington Administrative Code (WAC) 308-19.

- **BAIL BOND AGENT vs. BAIL BOND RECOVERY AGENT** – The amendments to RCW 18.185 includes a requirement that all licensed bail bond agents who are performing the duties of a bail bond recovery agent must obtain an endorsement to their bail bond agent license. This endorsement requires the bail bond agent must meet the same minimum training, testing, and licensing requirements as the bail bond recovery agent.